HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 36591 of 1998

Dated 10th April, 2007

Between

Yerra Swamy Das

…Petitioner

and

District Panchayat Officer, Medak at Sangareddy and ors

…Respondents.

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 36591 of 1998

ORDER:

This Writ Petition is filed questioning the proceedings No. 1123/87/A1-Pts, dated 26-11-1998 issued by the Collector (Pts.Wing), Medak at Sangareddy.

The petitioner was elected as Sarpanch of the Machnur Gram Panchayat in Medak District. The District Collector, Medak District, at Sangareddy, in exercise of powers under Section 249 of the A.P. Panchayat Raj Act, 1994, had passed orders removing the petitioner from the post of Sarpanch on the ground that he had misused the funds allotted to the Gram Panchayat under the scheme called as Jawaharlal Rojgar Yojana . In view of the said removal, the Collector had passed orders dated 26-11-1998 instructing the petitioner to hand over the charge of the office of the Gram Panchayat to the Upa-Sarpanch.

This Writ Petition is filed on the ground that as against the orders of the District Collector, the petitioner had preferred appeal as contemplated under Section 249 of the A.P. Panchayat Raj Act, 1994, and, in view of pendency of the said appeal, he should be continued as Sarpanch till the disposal of the appeal.

At the stage of admission, this Court by order dated 30-12-1998 suspended the proceedings dated 26-11-1998 till the disposal of the appeal preferred by the petitioner and the said order continued all along.

Though the Writ Petition is of the year 1998, no counter affidavit is filed on behalf of the respondents and there is also no representation.

As much as it is stated that the petitioner had preferred appeal against the order passed by the Collector (Pts.Wing) before the Government, and, further the interim order granted by this Court on 30-12-1998 continued all along, I deem it appropriate to dispose of the Writ Petition, directing the appellate authority-first respondent to dispose of the appeal preferred by the petitioner, if not already disposed of, as expeditiously as possible, preferably within a period of two months from the date of receipt of a copy of this order. Till the disposal of the appeal by the first respondent, the order dated 26-11-1998 remains suspended.

Subject to the above direction, the Writ Petition is disposed of. No order as to costs.

JUSTICE R. SUBHASH REDDY

DATE: 10-4-2007.
Msnr.